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RICHARD W. YIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Joseph D. Herrera
Plaintiff,
vs.
Robert Huel Warden
Defendant.

07 45921

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

SBA

(PR)

I, Joseph Herrera, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

1 and wages per month which you received. (If you are imprisoned, specify the last place of
 2 employment prior to imprisonment.)

3 Wal-Mart (worked only 2 weeks).
 4 Never had any other job.
 5 _____

6 2. Have you received, within the past twelve (12) months, any money from any of the following
 7 sources:

8 a. Business, Profession or Yes ____ No ☒
 9 self employment

10 b. Income from stocks, bonds, Yes ____ No ☒
 11 or royalties?

12 c. Rent payments? Yes ____ No ☒

13 d. Pensions, annuities, or Yes ____ No ☒
 14 life insurance payments?

15 e. Federal or State welfare payments, Yes ____ No ☒
 16 Social Security or other govern-
 17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
 19 received from each.

20 _____
 21 _____

22 3. Are you married? Yes ____ No ☒

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ _____ Net \$ _____

27 4. a. List amount you contribute to your spouse's support : \$ _____

28 b. List the persons other than your spouse who are dependent upon you for support

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

5. Do you own or are you buying a home? Yes ☐ No ☒

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile? Yes ☐ No ☒

Make _____ Year _____ Model _____

Is it financed? Yes ☐ No ☐ If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ☐ No ☒ Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☐ No ☒

8. What are your monthly expenses?

Rent: \$ 0 Utilities: 0

Food: \$ 0 Clothing: 0

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

9. Do you have any other debts? (List current obligations, indicating amounts and to whom

they are payable. Do not include account numbers.)

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

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10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No ✓


Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

August 8th 2007

DATE



SIGNATURE OF APPLICANT

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. _____

Case Number: _____

CERTIFICATION OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Joseph Deonn Horne V84328 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$3.75 and the average balance in the prisoner's account each month for the most recent 6-month period was \$7.37. (20% = \$1.48)

Dated: 8/9/07

Mark Curtis
Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 8-9-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Kleppin
TRUST OFFICE

CALIFORNIA DEPARTMENT OF CORRECTIONS
 PELICAN BAY STATE PRISON
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2007 THRU AUG. 09, 2007

ACCOUNT NUMBER : V84328 BED/CELL NUMBER: AF01L 000000120L
 ACCOUNT NAME : HORNE, JOSEPH DEONN ACCOUNT TYPE: I
 PRIVILEGE GROUP: D

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
02/01/2007		BEGINNING BALANCE					0.00
03/16	DD31	CHECK DEPOSIT	3302 #447		45.00		45.00
03/19	DD30	CASH DEPOSIT	3310 #448		22.50		67.50
03/20	W502	POSTAGE CHARG	3330			0.39	67.11
03/30	VOR1	REST OVERPMT	3466 DISCK		50.00		117.11
03/30	VOF1	ADMIN FEE-RES	3466 DISCK		5.00		122.11
03/30	W415	CASH WITHDRAW	3466 DISCK 283146759			100.00	22.11
04/02	W513	MISC. CHARGES	3480			0.40	21.71
04/03	FC06	DRAW-FAC 6	3496 A-1			21.71	0.00

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
05/09/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	4108	4.22

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 04/28/05 CASE NUMBER: SS030908
 COUNTY CODE: MON FINE AMOUNT: \$ 1,600.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
02/01/2007		BEGINNING BALANCE		1,518.00
03/16/07	DR31	REST DED-CHECK DEPOSIT	50.00-	1,468.00
03/19/07	DR30	REST DED-CASH DEPOSIT	25.00-	1,443.00
03/30/07	VOR1	REST OVERPMT ONLY	50.00	1,493.00



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 ATTEST: 8-9-07
 CALIFORNIA DEPARTMENT OF CORRECTIONS
 BY: J. Kleppin
 TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2007 THRU AUG. 09, 2007

ACCT: V84328 ACCT NAME: HORNE, JOSEPH DEONN ACCT TYPE: I

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	122.50	122.50	0.00	4.22	0.00



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ATTEST: 8-9-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Kleppin
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

4.22-